

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JANICE AUGUSTYN, Surviving Spouse and )  
Personal Representative of the Estate of DAVID ) 8:08CV405  
D. AUGUSTYN, )  
Deceased, )  
Plaintiff, ) ORDER  
v. )  
UNITED STATES OF AMERICA- )  
DEPARTMENT OF VETERANS AFFAIRS, )  
Defendant. )

The Joint Motion of the Parties to dismiss the Department of Veterans Affairs as a named party defendant (Filing No. 17), and has been considered, and the Court finds that it should be approved.

IT IS HEREBY ORDERED that the Department of Veterans Affairs is dismissed as a named party defendant. The caption of this case is hereby amended to show that the United States of America is the sole defendant.

DATED this 4th day of March, 2009.

BY THE COURT:

**s/ Joseph F. Bataillon**  
Chief District Judge